

**RESOLUTION AUTHORIZING AN INVESTIGATION INTO THE UNAUTHORIZED AND POTENTIALLY ILLEGAL DISSEMINATION OF CONFIDENTIAL INFORMATION**

**WHEREAS**, during the period of about June 2016 through August 2016, the Alabama State Board of Education conducted a search for a State Superintendent of Education; and

**WHEREAS**, on or about July 14, 2016, information about one of the candidates being considered for the position of Alabama State Superintendent of Education was anonymously disseminated to the members of the Alabama State Board of Education; and

**WHEREAS**, the Alabama State Board of Education of the state of Alabama has not authorized any member, subcommittee, or person to request an investigation into any matter pertaining to any candidate being considered for the position of Alabama State Superintendent of Education; and

**WHEREAS**, the Alabama State Board of Education has found and determined the following regarding the information believed to have been disseminated to the Alabama Ethics Commission: (1) Said information was of a 'private' and 'confidential' nature and due to be protected from unauthorized disclosure; (2) Said information was obtained by potentially unlawful means; and (3) The manner in which said information was obtained and disseminated to the Ethics Commission was, possibly, in violation of state laws concerning the handling of privileged, confidential, and/or sensitive personal information:

**NOW, THEREFORE, BE IT RESOLVED**, By the Alabama State Board of Education that the Board hereby requests an investigation by the Alabama Ethics Commission and the Alabama State Attorney's General's Office into the unauthorized and potentially illegal dissemination in 2016 of information concerning the position of Alabama State Superintendent of Education:

**BE IT FURTHER RESOLVED**, By the Alabama State Board of Education that the Board hereby authorizes and directs the issuance of a formal opinion to the Board by the appropriate regulatory body—including but not limited to the Alabama Ethics Commission and Alabama Attorney General's office—as to whether or not the subject disseminated information, in fact, violated any state or federal laws.

Done this 13<sup>th</sup> day of October 2016